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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/506,777

09/25/2004

Risto Kauppinen

089229.00016

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32294

7590

02/27/2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

14TH FLOOR

8000 TOWERS CRESCENT

TYSONS CORNER, VA 22182

EXAMINER

NGUYEN, DAVID Q

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

02/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/506,777

Applicant(s)

KAUPPINEN, RISTO

Examiner

David Q. Nguyen

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-62 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 32-40 and 44-45, 48-58 and 61-62 is/are rejected.
- 7) ☒ Claim(s) 41-43, 46, 47, 59 and 60 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 32-40 and 44-45, 48-58 and 61-62 are rejected under 35 U.S.C. 102(b) as being anticipated by Meskauskas (WO 01/86968 A1).

Regarding to claims 32-40 and 44-45, 48-58 and 61-62, Meskauskas discloses network element and a method of allocating one of a plurality of serving call state control functions to a subscriber, the method including: receiving load information from a plurality of serving call state control functions in a signalling message (see page 10, line 35 to page 11, line 9); and determining a serving call state control function for the subscriber in dependence on the received load information (see page 10, line 35 to page 11, line 9), wherein the step of determining a serving call state control function is carried out by a network resource (see page 10, line 35 to page 11, line 9); wherein the network resource is the interrogating call state control function (see page 10, line 35 to page 11, line 9); wherein the network resource is a home subscriber server (see page 6, lines 9-20); wherein the subscriber is either located in a visited network or a home network and is registered in a home network (see page 6, lines 9-20); wherein the load information indicates the actual current load of the serving call state control function (see page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); wherein the load information indicates the availability of the call state control function (see page 8, line 28 to page 9, line 34

Art Unit: 2617

and page 10, line 35 to page 11, line 9); wherein the load information indicates a time period in which the serving call state control function cannot receive further subscriber registrations (see page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); a session between a serving call state control function and interrogating call state control function for transmitting the availability information (see page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); including sessions between interrogating call state control function and a plurality of serving call state control functions (see page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); wherein the signalling message is related to subscriber registration (see page 6, lines 9-20); wherein the signalling message is related to a session between a serving call state control function and interrogating call state control function (see page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); the serving call state control function is selected on a session basis (see page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); the subscriber is located in a home network or a visited network, and the serving call state control function is located in the home network (see page 6, lines 9-20).

Regarding claim 61, Meskauskas discloses a mobile wireless communications system including a home network, wherein the home network includes a network element for allocating one of a plurality of serving call state control function means provided in the home network to a subscriber (see page 6, lines 9-20, page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9), the home network further comprising an interrogating call state control function means (see page 6, lines 9-20, page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); wherein the interrogating call state control function means receives load information from a plurality of the serving call state control function means (see page 6, lines 9-20, page 8,

Art Unit: 2617

line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); and a broker associated with the network element determines a serving call state control function means for the subscriber in dependence on the received load information (see page 6, lines 9-20, page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9); including a visited network, wherein the subscriber is connected in either the visited network or the home network (see page 6, lines 9-20, page 8, line 28 to page 9, line 34 and page 10, line 35 to page 11, line 9).

Allowable Subject Matter

2. Claims 41-43, 46-47 and 59-60 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Q. Nguyen whose telephone number is 571-272-7844.

The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH H. FEILD can be reached on (571)272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


David Q Nguyen
Primary Examiner
Art Unit 2617